

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kimberly Eldridge	Team: Team # 3	CCRB Case #: 201106543	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/19/2011 6:00 PM	Location of Incident: West 28th Street between 9th and 10th Avenue; inside of the 10th Precinct stationhouse	Precinct: 10	18 Mo. SOL 11/19/2012	EO SOL 11/19/2012	
Date/Time CV Reported Thu, 05/19/2011 6:32 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 05/19/2011 6:32 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT John Oconnell	03369	937204	010 PCT
2. LT Jason Harris	00000	906421	010 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Jason Harris	Abuse: Lieutenant Jason Harris stopped the car in which § 87(2)(b) was an occupant on West 28th Street between 9th and 10th Avenue in Manhattan.	
B.LT Jason Harris	Force: Lieutenant Jason Harris used physical force against § 87(2)(b) on West 28th Street between 9th and 10th Avenue in Manhattan.	
C.LT Jason Harris	Discourtesy: Lieutenant Jason Harris spoke rudely to § 87(2)(b) on West 28th Street between 9th and 10th Avenue in Manhattan.	
D.LT Jason Harris	Abuse: Lieutenant Jason Harris threatened to arrest § 87(2)(b) on West 28th Street between 9th and 10th Avenue in Manhattan.	
E.SGT John Oconnell	Abuse: Sergeant John Oconnell did not process § 87(2)(b)'s complaint regarding an officer inside of the 10th Precinct stationhouse.	

Case Summary

On May 19, 2011, § 87(2)(b) filed this complaint with the CCRB via the Call Processing System. On June 7, 2011, the investigator spoke with § 87(2)(b) who provided more details about what occurred.

At approximately 6:00PM on May 19, 2011, Lieutenant Jason Harris, whom § 87(2)(b) identified by name and who is assigned to the 10th Precinct, allegedly stopped § 87(2)(b)'s car and physically pulled him out of his vehicle on West 28th Street between 9th and 10th Avenue in Manhattan (**Allegations A and B**). Lieutenant Harris accused § 87(2)(b) of failing to stop at a red light and requested § 87(2)(b)'s license and registration. Lieutenant Harris allegedly cursed at § 87(2)(b) and stated that if § 87(2)(b) said a word, he would be arrested (**Allegations C and D**). Lieutenant Harris then released § 87(2)(b) without arresting him or issuing him a summons. After the incident, § 87(2)(b) went to the 10th Precinct stationhouse to file a complaint against Lieutenant Harris. § 87(2)(b) spoke with Sergeant John O'Connell, whom he identified by name and shield number, and who is also assigned to the 10th Precinct. When § 87(2)(b) stated that he wished to file a complaint against Lieutenant Harris, Sergeant O'Connell allegedly called Lieutenant Harris via phone and then refused to process § 87(2)(b)'s complaint (**Allegation E**).

§ 87(2)(b), § 87(2)(g)

Between June 3, 2011 and July 18, 2011, the investigator called § 87(2)(b) a total of seven times and sent him two please call letters. When the investigator spoke with § 87(2)(b) on June 7, 2011, he confirmed his contact information and noted that he did not have any additional addresses, phone numbers, or email addresses at which he could be reached. § 87(2)(b) also noted that he did not wish to schedule an interview at that time because he did not know his schedule. § 87(2)(b) stated that he would call the investigator later that day to schedule an interview, but did not do so. On June 10, 2011, the investigator called § 87(2)(b) who again stated that he did not wish to schedule an interview because he did not know his schedule and indicated that he would contact the investigator the next day with his availability. § 87(2)(b) did not contact the investigator. On July 8, 2011, the investigator spoke with § 87(2)(b) who indicated that he received the please call letters, but did not respond to them or any other correspondence from the investigator because he took a three week vacation. § 87(2)(b) confirmed that he had returned to New York City, but again stated that he did not wish to schedule an interview because he did not know his schedule. § 87(2)(b) also noted that he would contact the investigator with his availability. When § 87(2)(b) did not make contact, the investigator attempted to contact § 87(2)(b) via phone three more times, leaving voicemail messages on each occasion. To date, § 87(2)(b) has not contacted the investigator. A July 21, 2011 search of the New York City Department of Correction Inmate Locator Services website indicated that § 87(2)(b) is not and has not been incarcerated. § 87(2)(g)

Team: 3

Investigator: _____
Signature _____ Print Kimberly Eldridge Date _____

Supervisor: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____